IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1271 OF 2005
IN
EXECUTION APPLICATION NO.467 OF 2000
IN
SUMMARY SUIT NO.4229 OF 1998

Krishnakumari Shelters Pvt.Ltd. Plaintiffs

versus

Jayant M. Paranjape Defendant

Mr.C.S.Kapadia with Ms.Yogini Gada i/by Harakchand & Co. for plaintiffs.
Mr.V.P.Sawant i/by Vinay M. Bhate for applicant.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 14th March 2006

PC :

1. This Chamber Summons is by the defendant praying that auction of the properties including residential as well as office premises as Andheri and Vile Parle belonging to the defendant, be stayed and the Prothonotary and Senior Master having accepted another property as security to secure the entire suit claim, that property be auctioned in execution of the decree passed against the defendant.

2. Although this Chamber Summons is opposed by the plaintiff-decree holder and now the assignee thereof, the assignee and the defendants have presented Consent Minutes of Order.

3. The ad-interim order which was passed in this Chamber Summons on 7th October 2005 is now confirmed by consent of parties.

4. They have further agreed to implement this order and take steps to enable implementation thereof as set out in clauses 3 to 5 of the minutes.

5. Therefore, Plot Nos.3 and 5 of Survey No.114, Village Kopharad, Taluka Vasai, District Thane are now to be handed over to the authorities mentioned in clauses 4 and 5 of the Minutes to enable them to auction/sell them in execution of the decree. Parties have agreed to have the Chamber Summons disposed of in the light of these minutes.

6. Minutes which are signed by parties and their advocates, taken on record and marked "X" for identification. Chamber Summons disposed of accordingly.

7. It is clarified that in terms of clause-3 of the Minutes, Title Deeds relating to Plot Nos.3 to 5 so also relating to Survey No.47-II would be handed over, if not already handed over, to the Prothonotary and Senior Master by parties and even that plot would be put up for sale.

8. All concerned to act on an authenticated copy of this order authenticated by Registry.

(S.C.DHARMADHIKARI, J.)